



**NON-RESIDENT
APPOINTMENT OF AGENT**
SECRETARY OF STATE
SFN 11601 (11-00)

FILING FEE AND CERTIFICATION \$15.00

SEE REVERSE SIDE FOR FILING AND MAILING INSTRUCTIONS

For Office Use Only

ID #

WO#

Secretary of State
State of North Dakota
600 E Boulevard Ave Dept 108
Bismarck ND 58505-0500
Telephone 701-328-3665
Toll Free 800-352-0867
Ext 8-3665
Fax 701-328-1690

1.	Name of Applicant Applying for Appointment		Telephone #	
	Complete Mailing Address	City	State	Zip Code
2.	Business Name as Authorized to Transact Business in North Dakota		Telephone #	
	Complete Mailing Address	City	State	Zip Code

In compliance with the Federal Privacy Act of 1974, the disclosure of the social security number or Federal ID number on this form is voluntary. They are not disclosed to the public. The numbers are used by the Secretary of State to maintain accurate files. Therefore, while voluntary disclosure is requested, failure to do so will not invalidate the appointment.

3.	A. Business Type <input type="checkbox"/> Sole Proprietorship - Complete C Below <input type="checkbox"/> Partnership - Complete C & D Below <input type="checkbox"/> Limited Liability Company organized in state of _____ <input type="checkbox"/> Corporation incorporated in state of _____ <input type="checkbox"/> Other - Define _____		B. Business Federal ID #	
	C. Name of Owner (or Partner)		Social Security #	
	Mailing Address	City	State	Zip Code
	D. Name of Partner		Social Security #	
	Mailing Address	City	State	Zip Code

The undersigned does hereby APPOINT THE NORTH DAKOTA SECRETARY OF STATE as the true and lawful agent upon whom may be served all lawful process in any action or proceeding against the undersigned, and does hereby agree that any legal process served on said agent shall be of the same legal force and effect or validity as if served by myself, the partnership, or the corporation.

State of _____

Signature and Title of Applicant

County of _____

Subscribed and Sworn before me, this _____ day of _____, 20____.

(Notary Seal)

Notary Public

My Commission Expires _____

CERTIFICATION OF THE SECRETARY OF STATE

I hereby certify that this instrument is a true and correct copy of non-resident appointment of agent filed in the office of the Secretary of State this _____ day of _____, 20____.

Great Seal

Secretary of State

By: _____

ALVIN A. JAEGER
SECRETARY OF STATE
STATE OF NORTH DAKOTA
600 E BOULEVARD AVE DEPT 108
BISMARCK ND 58505-0500

E-MAIL sos@state.nd.us
HOME PAGE www.state.nd.us/sec



SECRETARY OF STATE

BUSINESS DIVISION
PHONE (701) 328-4284, FAX (701) 328-2992
CENTRAL INDEXING DIVISION
PHONE (701) 328-3662, FAX (701) 328-4214
ELECTIONS DIVISION
PHONE (701) 328-4146, FAX (701) 328-2992
LICENSING DIVISION
PHONE (701) 328-3665, FAX (701) 328-1690
GENERAL INFORMATION (701) 328-2900
TOLL FREE 1-800-352-0867

Dear Non-resident Commercial Pesticide Applicator/Dealer,

One of the requirements for obtaining certification as a commercial pesticide applicator or dealer is that the applicant must file a written power of attorney with the Secretary of State designating the Secretary of State or a duly appointed resident agent for service of process.

According to Chapter 4-35-11 of the North Dakota Century Code, any non-resident applicant for a pesticide applicator or dealer's certification must file a power of attorney making such an agent designation before it can operate in the state of North Dakota. Once filed, the Secretary of State or the resident agent becomes the agent for the non-resident applicant in the event any lawsuit is filed against the applicant. The power of attorney must be prepared in such a form as to render effective the jurisdiction of North Dakota state courts over the non-resident applicant.

If you wish to designate the Secretary of State as the agent for service of process, complete the form on the reverse side of this page. Please note that the form must be signed before a notary public. If you wish to appoint a resident agent, please contact the Licensing Division for further instructions.

Send the form, along with a \$15 filing fee, to the attention of the Licensing Division in the Secretary of State's office. If you have any questions regarding the appointment of an agent, please contact the Licensing Division at (800) 352-0867, ext. 8-3665.

In addition to the above requirements, your business may have additional registration and filing requirements with the Business Division of the Secretary of State's office. Listed below are some of the business types, which may have such a filing requirement. Many of the forms needed to complete the applicable filing and registration are available on the Secretary of State's website at www.state.nd.us/sec. In addition, they can be ordered through the office's Fax-on-Demand service at (701) 328-0120. If you are unable to obtain the forms from either source, contact the Business Division at (800) 352-0867, ext. 8-4284.

Sole Proprietorship: If you operate your business as a sole proprietorship and use a business name, a Trade Name Registration must be filed.

General Partnership: If your business is a general partnership using a business name, a Partnership Fictitious Name Certificate must be filed.

Corporation: If your business is an out-of-state corporation, it must apply for and obtain a Foreign Corporation Certificate of Authority.

Limited Liability Company: If your business is an out-of-state limited liability company, it must apply for and obtain a Foreign Limited Liability Company Certificate of Authority.


Limited Partnership: If your business is an out-of-state limited partnership, it must file a Foreign Limited Partnership Registration.

Limited Liability Partnership: If your business is an out-of-state limited liability partnership, it must file a Foreign Limited Liability Partnership Registration.

Limited Liability Limited Partnership: If your business is an out-of-state limited liability limited partnership, it must apply for and file a Foreign Limited Liability Limited Partnership Registration.

If you have any questions regarding the filing requirements, contact the Licensing Division at (800) 352-0867, ext. 8-3665.

Sincerely,


Mary Feist, Director
Licensing Division